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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,349	06/07/2001	Alfredo Venegas	CISC-25,675	9085
31782	7590	07/10/2003		EXAMINER
CHAUZA & HANDLEY, L.L.P. PO BOX 140036 IRVING, TX 75014			CHANG, YEAN HSI	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/876,349	VENEGAS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Yean-Hsi Chang	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 April 2003.

2a) This action is **FINAL**.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-26 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-23 is/are rejected.

7) Claim(s) 24-26 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 07 June 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_ .

## DETAILED ACTION

### ***Claim Objections***

1. Claim14 is objected to because of the following informalities: The first “cable” should not be deleted in order to make sense. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer (US 6,305,556 B1) in view of Hagan (US 5,152,443) and Champion et al. (US 6,327,139 B1).

Mayer teaches a cable management arm comprising:

- A single member (100, fig.1) having a main body portion (300 and 302, fig. 3) defining a longitudinal axis (not shown) (claims 1 and 14)
- Hinge regions (304, 308 and 314, fig. 3) being spaced apart to define at least two linkages (300 and 302, fig. 3) of said single member, adjacent ones of said linkages being pivotally connected by one hinge region (304, fig. 3), and

said linkages together having a first end (left end of 300, not numbered, fig. 3) being fastened to a stationary portion (306, fig. 3) of a server system rack (104, fig. 3) and second end (left end of 302, not numbered, fig. 3) being fastened to a movable portion (316, fig. 3) of a drawer (106, fig. 2) (claims 1 and 14)

- Cable retention tabs (318, fig. 3) for securing a cable (108, fig. 2) to said main body portion (claims 1 and 14)
- Apertures (524 and 526, fig. 5) in said main body disposed adjacent to said cable retention tabs (claims 9 and 12)
- Wherein said single member has a cross section of a channel shape (see fig. 3) (claims 10, 13 and 22)

Mayer fails to teach the single member being of molded plastic and a plurality of grooves formed into opposite sides of the main body portion to define hinge regions and cable retention tabs integrally formed with the single member.

Hagan teaches hinge regions (48, fig. 3) provided to connect molded plastic rigid linkages (44, fig. 2; also see col. 4, lines 60-62), defined by grooves (not numbered, fig. 3) formed into opposite sides of a main body portion (44, fig. 2), extending transverse to a longitudinal axis (not shown) and being aligned back-to-back on opposite sides of said main body portion, having at least a first part being generally arcuate shape and at least a second portion being generally rectangular shape (both shown in fig. 3, not numbered), having outer edges being chamfered (shown in fig. 3, not numbered) (claims 1-6 and 14-18); and Champion teaches cable retention tabs (106b, fig. 1)

integrally formed with a single member (106, fig. 1), having a first portions (not numbered, fig. 1) extending vertically from a main body portion (portion of 106, fig. 1) of said single member and second portions (portions pointed by 106b, fig. 1) extending substantially parallel to the main body portion, forming L-shaped, (claims 7-8, 11 and 19-20).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Mayer with the molded plastic single member and the hinge regions taught by Hagan, and the cable retention tabs taught by Champion for the purpose of making the operation of the cable management arm simpler and easier.

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lopez et al. (US 6,021,047) in view of Hagan and Landrum et al. (US 6,353,532 B1).

Lopez teaches a drawer comprising:

- A tray (24, fig. 2)
- Telescoping slide assemblies (26, fig. 2) having inner rails (26a, fig. 2) mounted to said tray and outer rails (26b, fig. 2) mounted to a server system rack (18, fig. 2)
- A first cable set (held in 28, not shown, fig. 2) connecting from said tray to said system rack
- A single member (28, fig. 2) defining a flexible cable management arm which is secured between said tray and the server system rack

➤ Hinges (not numbered, fig. 1) defining a plurality of linkages (not numbered, fig. 1) in said single member

Lopez fails to teach a single member of molded plastic having opposite disposed grooves defining hinge regions defining linkages in said single member, and cable retention members integrally molded as part of said single member of molded plastic, and being L-shaped.

Hagan teaches a single member of molded plastic (see fig. 3; and col. 4, lines 60-62, elastomeric is one kind of plastic) hinge regions (48, fig. 3) provided to connect rigid linkages (44, fig. 2), defined by grooves (not numbered, fig. 3) formed into opposite sides of said single member of molded plastic; and Landrum teaches cable retention members (on element 105, not numbered, fig. 4) molded as part of cable management arm (105, fig. 4), and being L-shaped.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Lopez with the single member of molded plastic taught by Hagan and the cable retention members taught by Landrum for the purpose of making the operation of the cable management arm simpler and easier.

#### ***Allowable Subject Matter***

5. Claims 24-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Mayer (US 6,305,556 B1), Hagan (US 5,152,443), Champion et al. (US 6,327,139 B1), Lopez et al. (US 6,021,047), and Landrum et al. (US 6,353,532 B1), taken alone or in combination, fails to teach or reasonably suggest a drawer comprising a toolless fastener mounted to at least one end of outer rails of telescoping slide assemblies, having a latch member with forwardly extending latch portion being selectively movable in a lineal direction to selectively engage within a rack frame of a server system rack as set forth in claims 24-26.

### ***Response to Arguments***

7. Applicant's arguments filed 28 April 2003 have been fully considered but they are not persuasive.

Applicant's arguments can be summarized as "the cited prior art of record does not disclose, teach or motivate to combine the cited references to provide the structure of a cable management arm formed of a single member of molded plastic having the oppositely disposed grooves formed into opposite sides and the retention tabs as set forth in the claims".

Hagan discloses an invention of a plurality of rigid segments made from injection molded elastomeric (a kind of plastic) connected by reduces thickness portions (see col. 4, lines 45-62), which appears like a cable management arm as shown in fig. 1. Champion et al. teaches cable retention tabs integrally formed with segments of a cable

management arm (106b, fig. 1; also see col. 3, lines 46-49). In order to minimize the cost of manufacturing and assembling a cable management arm, it would have been an obvious matter to one having ordinary skill in the art at the time the invention was made to modify a cable management arm by cutting the number of parts down with the hinge joint taught by Hagan and the retention tabs taught by Champion.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Correspondence***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang  
Patent Examiner  
Art Unit: 2835  
June 30, 2003

  
DARREN SCHUBERG  
SUPERVISORY PATENT EXAMINER  
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